

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 21772 of 2007(P)

PETITIONER:

KERALA SWATHANTHRA MALSYA THOZHILALI
FEDERATION, REPRESENTED BY ITS PRESIDENT
LAL KOILPARAMBIL, RESIDING AT KOILPARAMBIL,
ARTHUNGAL P.O., CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.P.K.IBRAHIM
SMT.K.P.AMBIKA
SRI.THOMSTINE K.AUGUSTINE

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM, KERALA.
2. STATE FISHERIES RESOURCES MANAGEMENT
SOCIETY, GOVERNMENT OF KERALA, T.C.28/2817,
KUTHIRAVATTOM LINE, CHETTIKULANGARA,
THIRUVANANTHAPURAM - 1, REPRESENTED BY ITS
EXECUTIVE DIRECTOR.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C)NO.21772/07

APPENDIX

PETITIONER'S EXHIBITS

- EXT.P1: PHOTOCOPY OF THE ORDER IN W.P.(C)NO.393/05 DATED 17.7.06 ISSUED BY THE SUPREME COURT OF INDIA.
- EXT.P2: PHOTOCOPY OF THE I.A.IN W.P.(C)NO.393/05 AND THE AFFIDAVIT WITHOUT ITS ANNEXURES FILED BY GOA ENVIRONMENT FEDERATION BEFORE THE SUPREME COURT OF INDIA DATED 24.7.06.
- EXT.P3: PHOTOCOPY OF THE ORDER NO.30035/15/97-Fy(T-1)VOL.III DATED 10.4.07 ISSUED BY THE 1ST RESPONDENT.
- EXT.P4: TRUE COPY OF THE ORDER IN I.A.NOS.3,4,5,7-9 IN W.P.(C)NO.393/05 DATED 17.5.07 ISSUED BY THE SUPREME COURT OF INDIA.
- EXT.P5: PHOTOCOPY OF THE G.O.(P)NO.22/2007/F&PD DATED 14.6.07.
- EXT.P6: PHOTOCOPY OF THE KERALA MONSOON FISHERY (PELAGIC) PROTECTION ACT.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO. 21772 OF 2007

DATED THIS THE 2nd DAY OF AUGUST, 2007

JUDGMENT

The petitioner claims to be an association of traditional fishermen. They have filed this writ petition for a declaration to the effect that Ext.P6, the Kerala Mansoon Fishery (Pelagic) Protection Act, 2007 would not authorize the use of mechanized boat having capacity beyond 10BHP horse power, during the period of ban on trawling, to over ride Exts.P1 and P4 direction of the Supreme Court. Now that the period of ban is over by 31st July, 2007, it is not necessary to consider this question now.

In the above circumstance, without prejudice to the contentions of the petitioner, this writ petition is closed.

S. SIRI JAGAN, JUDGE

Acd

